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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/018,889	12/26/2001	Shouji Fujino	FUJINO=4	FUJINO=4 8273	
1444	7590 04/19/2005		EXAMINER		
BROWDY AND NEIMARK, P.L.L.C.			DEAN, RAYMOND S		
624 NINTH STREET, NW SUITE 300			ART UNIT	PAPER NUMBER	
WASHINGTON, DC 20001-5303			2684		

DATE MAILED: 04/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

· Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)
10/018,889	FUJINO, SHOUJI
Examiner	Art Unit
Raymond S Dean	2684

•	Raymond S Dean	2684	
The MAILING DATE of this communication appe	ars on the cover sheet with the c	orrespondence add	ress
THE REPLY FILED 04 April 2005 FAILS TO PLACE THIS APP	LICATION IN CONDITION FOR AL	LOWANCE.	
1. The reply was filed after a final rejection, but prior to or on this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a No a Request for Continued Examination (RCE) in compliance time periods:	ving replies: (1) an amendment, aff tice of Appeal (with appeal fee) in o	idavit, or other evider compliance with 37 C	nce, which FR 41.31; or (3)
a) \square The period for reply expires 3 months from the mailing date	of the final rejection.		
b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire is	ater than SIX MONTHS from the mailing	g date of the final rejecti	on.
Examiner Note: If box 1 is checked, check either box (a) or 0 TWO MONTHS OF THE FINAL REJECTION. See MPEP 70		E FIRST REPLY WAS F	ILED WITHIN
Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of ex under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	on which the petition under 37 CFR 1.1 tension and the corresponding amount shortened statutory period for reply origon than three months after the mailing da	of the fee. The approprinally set in the final Offi	iate extension fee ce action; or (2) a
2. The Notice of Appeal was filed on	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of th	
3. The proposed amendment(s) filed after a final rejection, (a) They raise new issues that would require further co (b) They raise the issue of new matter (see NOTE belo	nsideration and/or search (see NO		ecause
(c) They are not deemed to place the application in being appeal; and/or	• •	ducing or simplifying	the issues for
(d) They present additional claims without canceling a		ected claims.	
NOTE: (See 37 CFR 1.116 and 41.33(a)).			
4. The amendments are not in compliance with 37 CFR 1.1		mpliant Amendment	(PTOL-324).
5. Applicant's reply has overcome the following rejection(s)			
6. Newly proposed or amended claim(s) would be all non-allowable claim(s).			
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro The status of the claim(s) is (or will be) as follows: Claim(s) allowed: None. Claim(s) objected to: None. Claim(s) rejected: 1-4. Claim(s) withdraws from consideration: None.		II be entered and an e	explanation of
Claim(s) withdrawn from consideration: <i>None</i> . AFFIDAVIT OR OTHER EVIDENCE			
 The affidavit or other evidence filed after a final action, but because applicant failed to provide a showing of good an was not earlier presented. See 37 CFR 1.116(e). 			
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to a showing a good and sufficient reasons why it is necessar	overcome all rejections under appe	al and/or appellant fa	ils to provide a
10. The affidavit or other evidence is entered. An explanation	n of the status of the claims after e	ntry is below or attact	hed.
REQUEST FOR RECONSIDERATION/OTHER 11. ☑ The request for reconsideration has been considered bu	ut does NOT place the application i	n condition for allowa	nce because:
See Continuation Sheet.12. Note the attached Information Disclosure Statement(s).	(PTO/SB/08 or PTO-1449) Paper N	Jn(e)	
13. Other:	(1 10/05/00 0/1 10-1440) 1 apol 1	(O(S)	
		18m) Old	
NAY MAUNG	•	Raymond S. Dean	
SUPERVISORY PATENT EXA	MINICIR	April 13, 2005	

U.S. Patent and Trademark Office PTOL-303 (Rev. 4-05) Continuation of 11. does NOT place the application in condition for allowance because: New issues, such as "means operative after a first communication in which transmission occurs at a first carrier frequency for automatically causing transmission to always occur at a second carrier frequency different from the first carrier frequency during a succeeding second communication", are raised and thus would require further search and consideration.